

IN THE SUPERIOR COURT OF THE STATE OF ARIZONA
IN AND FOR THE COUNTY OF YAVAPAI

DIVISION: 6

HON. THOMAS B. LINDBERG

CASE NO. P1300CR20081339

JEANNE HICKS, CLERK

By: Jennifer Kuns, Deputy Clerk

DATE: December 17, 2009

FILED

DATE: Dec. 17, 2009

2:37 O'Clock P.M.

JEANNE HICKS, CLERK

BY: Jennifer Kuns

Deputy

w/d

TITLE:

STATE OF ARIZONA

(Plaintiff)

vs.

STEVEN CARROLL DEMOCKER

(D-1)

COUNSEL:

Yavapai County Attorney

(For Plaintiff)

John Sears

107 North Cortez Street, Suite 104
Prescott, AZ 86301

Larry Hammond

Anne Chapman

OSBORN MALEDON, P.A.

2929 North Central Avenue, 21st Floor
Phoenix, AZ 85012

(For Defendant)

HEARING ON:

Continued Evidentiary Hearing Re: Jury Selection

NATURE OF PROCEEDINGS

COURT REPORTER

Roxanne Tarn

START TIME: 2:37 p.m.

APPEARANCES: Joseph Butner, Deputy County Attorney
Steven DeMocker, Defendant
John Sears, Counsel for Defendant
Larry Hammond, Co-Counsel for Defendant

The Court has received and reviewed the proposed jury questionnaire submitted by the Defense.

Counsel Sears advises the Court that he intends to file a Motion re: capital issues in this case requesting the Court consider adopting a procedure similar to the one being used now in New Mexico involving separate juries. Counsel Sears provides the Court and the State with a CD, which is an appendix to the motion.

Counsel for the State advises the Court that he has just received the Defense's jury questionnaire and is not in a position to respond. Counsel Sears will forward the State a copy of the jury questionnaire in Microsoft Word so it may be edited.

Court and Counsel discuss Jury selection issues.

Deputy Jury Commissioner, Margaret Merlitz, is present in the Courtroom and addresses the Parties regarding Yavapai County procedures for Jury questionnaires and Jury Selection.

Counsel for the Defense requests a case specific video be played for the Jury Panel. Deputy Jury Commissioner states that request can be accommodated and requests that two copies be provided to the Jury Commissioner's Office.

The record reflects the Deputy Jury Commissioner is excused and exits the Courtroom.

Court and Counsel discuss trial schedule. Counsel advise the Court at this time there will be 130 potential witnesses at trial. Parties are continuing to conduct interviews at this time.

Court and Counsel discuss pending issues regarding the DNA re-testing and the additional items that have been sent to the DPS Crime Lab in Flagstaff. Counsel for the State will disclose to the Defense the items recently sent to the DPS Crime Lab.

With respect to the items recently sent to the DPS Crime Lab in Flagstaff, the Defense does not waive their objections to the considerable lateness of the testing of those items.

The hearing scheduled for January 12, 2010, at 9 a.m. is **confirmed**.

END TIME: 3:55 p.m.

cc: VS (e)
Division 6
Dean Trebesch (Contract Administrator) (PD) (e)
YCSO (e+)
Christopher DuPont, Trautman DuPont PLC, 245 W Roosevelt, Ste. A, Phoenix, AZ 85003, Counsel for
Victims Charlotte and Katherine DeMocker
Jury Commissioner